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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No.: CR-07-0559 JSW
	)	
Plaintiff,	)	<b>[PROPOSED]</b>
	)	ORDER OF DETENTION
v.	)	PENDING TRIAL
	)	
MICHAEL YOUNG,	)	
	)	
Defendant.	)	

This matter came before the Court on August 30, 2007 for a detention hearing. Defendant Michael Young was present and represented by Assistant Federal Public Defender Elizabeth Falk. Assistant United States Attorney Allison Danner appeared for the United States of America.

Pretrial Services submitted a report that recommended detention to the Court and to the parties. A representative of Pretrial Services was present at the hearing. The government requested detention, and the defendant opposed the motion. Arguments relating to detention were submitted by the parties at the hearing.

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2 Upon consideration of the facts and arguments presented, the Court finds by a  
3 preponderance of the evidence that no condition or combination of conditions of release will  
4 reasonably assure the appearance of the defendant as required. Accordingly, the Court concludes  
5 that the defendant must be detained pending trial in this matter. The present order supplements  
6 the Court's findings at the detention hearing and serves as a written findings of fact and  
7 statement of reasons as required by 18 U.S.C. § 3142(i)(1).

8 After considering the four factors set out in 18 U.S.C. § 3142(g), the Court  
9 concludes that no conditions of release will reasonably assure the appearance of the defendant at  
10 proceedings on this matter. In particular, the court notes that the Pretrial Services Report  
11 confirms that the defendant failed to appear at a court appearance in June of 2007 and was the  
12 subject of an outstanding warrant when he was arrested in this case. In addition, the defendant  
13 has violated parole and has had his probation revoked in connection with his past crimes.  
14 Furthermore, the defendant is homeless and has admitted, through his counsel, to ongoing  
15 substance abuse. Defendant has no family in the Northern District of California. The Court  
16 finds it particularly pertinent that neither the defendant's mother nor a close friend were willing  
17 to act as a surety to guarantee his appearance in this case. That the individuals who know the  
18 defendant best lack confidence that the defendant will appear in this matter has weighed heavily  
19 in this Court's decision.

20 Accordingly, based on all of the evidence above, the Court finds by a  
21 preponderance of the evidence that no condition or combination of conditions of release will  
22 reasonably assure the appearance of the defendant as required.

23 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

24 (1) the defendant be, and hereby is, committed to the custody of the Attorney

25 General for confinement in a corrections facility separate, to the extent

26 practicable, from persons awaiting or serving sentences or being held in custody

1 pending appeal;

2 (2) the defendant be afforded reasonable opportunity for private consultation with  
3 his counsel; and

4 (3) on order of a court of the United States or on request of an attorney for the  
5 government, the person in charge of the corrections facility in which the defendant  
6 is confined shall deliver the defendant to an authorized Deputy United States  
7 Marshal for the purpose of any appearance in connection with a court proceeding.

8  
9 Dated:

10 JOSEPH C. SPERO  
United States Magistrate Judge